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INTERNATIONAL ORGANIZED CRIME STRATEGY

BY

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USAWC STRATEGY RESEARCH PROJECT

International Organized Crime Strategy

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ABSTRACT

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International Organized Crime permeates all aspects of the national security interests as stated in President Clinton's May 1998 International Organized Crime Strategy (IOC). The extent of influence of the IOC in domestic matters, terrorist support and illegal commerce (to include the sale of materials for Weapons of Mass Destruction and illegal drugs to the financing of unaligned nations) has grown exponentially in the last ten years constituting an enemy threat. Utilizing the tools of war to augment the President's policy including mobilizing the will of the people and the use of the military are options. This project will discuss the current environment, explore strategy enhancements and suggest ways and means of mobilizing the will of the people and the effective use of the military.

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Introduction to the Issue of International Organized Crime

In the late 20th Century so much changed in the world of geostrategic politics and the threat of war that a pervasive and disarmingly quiet disinterest settled upon the American people regarding the little understood and much romanticized subject of international organized crime (IOC). The security threat posed by these growing global networks are grounded in greed and violence. They are increasingly influencing the politics, economy and social order in every area of the world to include of the United States. The security of the United States is further jeopardized by this threat. It is the intention of this paper to analyze the global scope of international organized crime, to examine the nature of this threat to the United States, to discuss the desirability of influencing the will of the people, and to suggest some of the political and military ways and means to combat this formidable enemy.

Why is international organized crime a National Security issue for Americans? An examination of this topic is critical as we face the 21st Century. The global networks of IOC underwent exponential growth in the last decade. In May, 1998 Deputy Attorney General Eric Holder described the impact of IOC on the United States best with the following comment: “ Most of the illicit drugs consumed in this country, worth tens of billions of dollars, are grown elsewhere and are brought here by foreign organized crime groups. Two-thirds of all counterfeit currency detected in the United States is created abroad. About 200,000 of the cars stolen in the United States each year, worth over \$1 billion, are taken across our land and sea borders. Economic espionage against U.S. businesses, often involving foreign competitors, is increasing. Computer crimes and attacks on our critical infrastructures are up [that is, on the increase] with the method used increasingly [of]...the Internet. And Americans continue to be the targets of choice for terrorist groups and kidnapers.”¹.

Mr. Holder's reference to terrorist groups is a reflection of the Department of Justice analysis that IOC is a major source for arms and financing of terrorist groups. A danger arises when such a major threat to economic and social stability is unchecked. Prevention is complex. It can be accomplished by first acknowledging the threat, followed by articulating a national strategy, and embarking upon a comprehensive education effort of the citizenry ultimately resulting in a citizenry supporting that strategy. As with a conventional war, a program to combat this threat must have intense government and private interagency coordination and the resources for success. An aggressive engagement on the international level must exist to reinforce a committed domestic effort. At its worst, a nation could view IOC as a discrete enemy invader, spoiling and destroying economic and social systems, security and stability, while enjoying and manipulating the very freedoms of its host democracy.

Background and Perspective

It is easy to see how many communities overlooked the IOC growth in power. The United States' national security focus during the Cold War, the forty years following World War II, was fixed on the prevention of nuclear war and the deterrence of the spread of communism, an ideology threatening democracy. The Cold War was a distracter. Defense issues were debated within the scenario of a major theater of war similar to both World Wars. Since the Soviet Union disbanded in December 1991 and that enemy of democracy in practical terms disappeared, some American politicians called for a return to isolationism. This dramatic break up was an echo of the early pre World War II politics in the U.S. The American public, their constituents, examined the world landscape from the eyes of the media, assessed the major threat to the Nation's safety as conquered, and presumed that no other domestic threat of magnitude loomed. The American public turned to politicians who called for greater attention to expensive,

competing domestic issues, such as the need for a National health care plan, Social Security reforms and programs for economic growth. The United States' downsizing of the military and its budgeted programs following the dissolution of the communist system in Eastern Europe, reflected our attitude that a monolithic threat no longer imperiled the Nation. While the world accomplished tremendous change in the 1990s, they failed to see the growth of a more subtle and less visible enemy of the Nation on their own shores. The average American citizen continued the historic view of a threat as that of a large conventional ideological enemy abroad. Consequently, the early glow of a peaceful new world environment masked and enabled the underestimated threats of organized crime. They gained wealth and strength in the absence of action and attention from the American public. However as Deputy Attorney General Holder so clearly enunciated this comfortable period must now end. Organizations never before considered as globally powerful are bonefide threats to new democracies and to the safety and security of our next generation. They are now poised on the horizon of a new century.

It is estimated that major international organized crime elements number in the hundreds, with smaller regional sized elements supporting the global crime networks in ways comparable to legitimate local business subcontractors. There are estimated 1000 to 3000 organized crime groups in Columbia alone, and in one organized crime family in Italy, the Camorra family, are an estimated six thousand members.² The tentacles are spread to large and small cities and towns alike. The IOC networks are decentralized worldwide and operate without an ideological base but motivated by profit. This lack of ideology enables members to negotiate arrangements, support or perform crimes for other outside organizations which require a service or product regardless of purpose. Consequently, terrorist organizations and extremist groups are the clients of international organized crime. For a price the crime networks facilitate access to illegal arms, financing and many other services which are later addressed. The current concerns in and out of the United States regarding the proliferation of weapons of mass destruction

(WMD) are inherently tied to international crime capabilities. Whether the purchase item is a part to a nuclear weapon or the sale of scientific information, the crime organizations manage the international contacts and the wherewithal to ensure that the product or service reaches the hands of the customer in search of it, always for huge profit. The magnitude of their operational capability and their wealth throughout the world supports the observations of the various international crime experts, that elements of international crime actually, literally hold some foreign governments hostage through lengthy histories of graft and unimaginable acts of violence. Two recently reported examples are the killings of elected officials in Russia and the war over territorial controls by the drug cartels in Columbia. The U.S. Department of Justice's Federal Bureau of Investigation (FBI) in total coordination and partnership with the Department of State, the International Criminal Police Organization (ICPO), the United Nations' Centre for International Crime Control and the European Union's leadership are joining forces to address these concerns. It is reported by the Global Organized Crime Project that approximately 8,000 crime organizations operate throughout Eurasia alone. "The 200 largest are now global conglomerates; the 26 principals have established a presence in the United States, where they negotiated division of labor arrangements with American, Sicilian, and Colombian crime syndicates. Their criminal activities have been detected in 17 U.S. cities." ³. Both R. James Woolsey and John Deutch, former Central Intelligence Directors, reported to Congress that these global crime syndicates threaten stability and peace in the world particularly at a time when so many new nations are developing. Awareness of the powerful vice grip IOC has on profitable illegal activities today should give pause to anyone assuming that their locale is immune.

First Policy of Its Kind, But Is It Complete?

In contrast to the past, today's international organized crime (IOC) groups are corporate like entities experiencing exponential growth in their size and customer base, their scope of criminal activities, and their sphere of societal and economic influence. They and their legitimate business counterparts profit from the enormous economic and technological enhancements of the late 20th Century. Previously, with the exception of the Italian Mafia and several smaller crime families, most organized crime was regional or local in nature, not the international corporate networks of the 1990s. Some of today's largest criminal organizations are the Triads and the Yakuza, from the territory of the former Soviet Union, the Italian Mafia, and the South American Cartels. Interestingly key to their success is the fact that far beyond their predecessors, these businesses are facilitated by advanced technology, world wide travel and communications. These are globally powerful criminal elements, and as stated by the Clinton administration in A National Security Strategy for a New Century (NSS), are substantial transnational threats to "...American interests and citizens, both directly and indirectly. International organized crime undermines the fragile new democracies as well as developing nations and challenges our own security." Further, the NSS warns that "...organized crime poses a threat to our interests because of the potential for theft and smuggling of inherited nuclear materials."⁴ International organized crime groups or enterprises are defined by the Federal Bureau of Investigation, the lead agency for the United States, as structured organizations with "...a continuing, self-perpetuating criminal conspiracy, fed by fear and corruption and motivated by greed. These groups have established hierarchies, are criminally diverse, organizationally mature, and multi-jurisdictional in their operations and influence."⁵

In the last decade the world leadership within the organized crime elements shifted from predominantly European/American centered to an expanded global diversity

of organizations, alliances and new leadership. Economic and technological growth in Asia contributed to the enlargement of international crime in that area. Concurrently, the number of unstable regions in the world also grew causing greater vulnerability to the pressures of criminal enterprises. President Clinton emphasized in his Presidential Decision Directive 42 (PDD - 42) that international organized crime and drug trafficking are a threat to national security.⁴ This threat to American citizens, economy and security is reiterated in the White House White Paper entitled International Crime Control Strategy. It specifies the President's goals and objectives.

The guidelines are ultimately an aggressive international program of cooperation and collaboration. They specifically address intergovernmental and interagency police collaboration through stated implementing objectives.⁵ This is the first formal initiative of its type by the United States designed to fight international organized crime on a coordinated multi-national scale. The U.S. Departments of State and Justice estimate that globally well over 8,000 large international organized crime groups exist, and acknowledge their activities as an immediate threat to the United States and the Rule of Law.⁶ Authorities categorize the IOC into four major groupings each with regional command centers within the United States.

1. Russian/Eastern European/Eurasian Crime Groups (R/EE/E)
2. Italian Organized Crime Groups (OC)
3. Asian Criminal Enterprises (ACE)
4. South American Cartels (SAC)

Organized crime capabilities include an extraordinary willingness to supply the broadest range of illegal and services and banned materials as well as now legal services and products to any customer, and their client base includes sovereign or rogue states, terrorist factions, powerful individuals, as well as legitimate businesses. Among these profitable services are egregious acts of violence, corruption, theft, gambling, drug

trafficking, kidnapping, alien smuggling and murder, to the new varieties of weapons sales and, "...armed home invasions, money laundering, commercial banking fraud, cyber security, global credit card fraud, insurance, gas excise and tax fraud." The yearly combined earnings approach a half trillion dollars, with an estimated one quarter of these earnings then invested in legitimate businesses. "While the real scale and implications of the crime threats such as from Russia are incalculable, the greatest threat is the immense financial resources available to criminals due to wide-spread economic crime, coupled with government corruption, in banking and intermediary and foreign trade transactions, especially those involving hard currency."¹⁰ This concern is evident in the Europe Union negotiations regarding banking regulations that are currently under formulation. Germany is sensitive to the possibility of the Russian IOC infiltrating the banking structures already doing business with that region.

The NSS ultimate goal is to "enhance our security... to bolster America's economic prosperity, to promote democracy abroad."¹¹ International organized crime control programs protect our national interests by: enhancing American's safety and well-being both at home and abroad, promoting a capitalist system in a fair and free competitive world market; and assisting governments and regions to combat threats to the Rule of Law.¹²

The International Crime Control Strategy (ICCS) of 1998 is an historic first effort by the United States to implement a thoroughly integrated program involving full assets of the federal government, both at home and overseas, to control organized crime. The President proposed legislation entitled The International Crime Control Act of 1998 (ICCA) to support his strategy's goals. There are eight goals in the strategy and each has a related concrete objective. "The Strategy's eight goals and related objectives are:

1. Extend the first line of defense beyond U.S. borders...

2. Protect U.S. borders...
3. Deny safe haven to international criminals...
4. Counter international financial crime...
5. Prevent criminal exploitation of international trade...
6. Respond to emerging international crime threats through heightened intelligence...
7. Foster international cooperation and the Rule of Law...
8. Optimize the full range of U.S. efforts through executive policy and involving the private sector..."¹³

The objectives for goal #1 are "Extend the first line of defense beyond U.S. borders by: a) preventing acts of international crime planned abroad before they occur, b) using all available laws to prosecute select criminal acts committed abroad, c) intensifying activities of law enforcement, diplomatic and consular personnel abroad."¹⁴

The ways to achieve the ICCS are in two forms. In part, because of both domestic and foreign legal limitations, criminals found safe havens outside the United States to escape prosecution or to conceal their financial activities. One form to achieve the goals was through legislative changes. Legislative changes were necessary to remove these limitations and expand our jurisdictions in several arenas to ensure law enforcement authorities had the means to achieve their objectives once a criminal act was identified.

Three 'enablers' to accomplish the goals from the ICCA are:

- * "Seizing and forfeiting the assets of international criminals. Expands the list of money laundering 'predicate crimes' ..." "
- * "Authorizes wiretapping for investigation of felony computer crime offenses." "
- * "Provides jurisdiction in the U.S. over violent acts committed abroad against State and local officials while in other countries on official Federal business." "

A second and major form to achieve the goals is through coordinated personnel

and financial resourcing for such an ambitious strategy. The proposed FY 1999 Appropriation Act does authorize additional law enforcement personnel and training to Federal and local agencies. At a White House Press Briefing on the ICCA Deputy Attorney General Holder stated that the money for this program is embedded in his 1999 budget and is overall about \$280 million." Since the Deputy Attorney General said "embedded" it was not clear how much of the funding is actually dedicated to the goals and objectives. Whether it constitutes an increase of funding for the already existing international organized crime program, or is in a general fund under direct costs is not clear. What is clear is that the goals are very ambitious given that the U.S. capability at a time of exhausting engagement policies. The scope of the threat is enormously unmanageable in the current world situation and will take a focused and well resourced program coordinated internationally. The judicial and international law enforcement functions were already under resourced before the implementation of the new world wide operation proposed by the President. The increased investigative requirements and the heightened international and domestic pressures on the judicial system could result in a very costly effort.

The risks are very high in today's world if we fail to adequately fund for a comprehensive program. A weak effort would suggest more opportunity for the IOC and greater danger for the American citizen. Overseas there were over one hundred kidnappings of American citizens last year alone. Recognizing the greed and flexibility of organized crime leadership, IOC will continue to take full advantage of America's inability to operate effectively." Look at the math. Is the IOC's half a trillion dollars a match against our budget capabilities? The rhetoric is impressive. However, it is questionable as to whether or not managers can accomplish this massive coordination effort with that shortage of funds ratio.

The current political instability of many of the unaligned nations and the growth of

terrorism are tremendous security factors for the next millennium. International organized

crime has demonstrated the willingness and ability to support even the most ambitious requirements of their eager and often rich customers. Additionally, if we fail to address and fund the program today it will have immeasurable economic and social impacts in the next century. The math again is astonishing, reinforcing the concept of the IOC as a “growth industry”. The Deputy Attorney General highlighted some facts during the announcement of the proposed National Crime Control Program, that “...in 1997, ...Americans spent more than \$50 billion on cocaine and heroin, all of which originated obviously from abroad; ...123 terrorist attacks against U.S. targets worldwide; \$1 billion worth of stolen cars taken. ...United States companies lost up to \$23 billion from the illegal duplication and piracy of films, compact disks, computer software...”²⁰ Given this analysis one could project that the international community will be forced early in the next century by finances and the horror resulting from terrorist/IOC treaties, to mobilize under a crisis situation against the IOC. That effort might reflect the old expression “too little too late” to save new nations or the youth of our own country.

Some Courses of Action to Enhance Policy Effectiveness

The reasons for a call to action are obvious in light of the preceding information, and the President’s new strategy and legislation reflect the latest thinking regarding how to address this problem. All sources predating President Clinton’s June, 1998 proposed legislation essentially recommends to Congress a plan including key elements to form Presidents Clinton’s comprehensive counter IOC network effort. The authors recognize that an enhanced and formalized global police cooperation network with supporting legislation, open communication at all levels of government and universal standardized police training on the state of the art technology are essential elements in a successful strategy. These items exist in the National Crime Control Strategy. Consequently, the

proposed ends and ways are credible. Therefore the following options are focused on funding and the means toward supporting these efforts:

First, establish legitimate business corporations/government partnerships. There is no present effort to recruit private sector corporations to fund or donate "in kind" services for programs such as the ICCS proposes. Corporate losses from the organized crime element are immense and they will benefit most from such police efforts. It is entirely impossible to imagine a corporation donating computer access or accounting expertise to assist law enforcement officials on a programmed basis and thus reduce direct costs to the investigating agency.

Second, engage in the education of Congress and the public. An orchestrated effort by Federal agencies to inform the public and prepare the Congress for the need for greater commitment and funding is necessary. Education as to the enormity of this issue through the media is a first step. This is a slow process but is much better than no effort. Open the files and share with the public the details of the scandalous criminal activities.

What Does It Take To Make the Policy Goals Attainable?

The President's program implies that implementation is an all or nothing effort. Modify the existing policy to a five year implementation plan rather than the current plan. The phase-in approach allows the Departments to program comprehensive support to logistical and training features, such as the Department of Defense assets of intelligence analysts, imagery analysts and various military police personnel which required highly skilled personnel.

As mentioned, there are several organizations addressing the IOC issue on a primarily cooperative basis, exchanging information, providing assistance in accessing police information and governmental legal coordination. The most transnationally effective are the FBI and the ICPO (better known as INTERPOL - 177 member nations).

However a key issue is that internationally, there is no definitive overarching multi-national authority or plan, to specifically direct assets and to ensure dissemination of vital information. Complicating matters further, there is certainly no alliance existing which will control rogue states. Rogue states are suspected of nurturing terrorist groups and the criminal elements supporting terrorist requirements. The current legislation is intended to place the FBI in a position of international leadership. Limited resources however challenge the feasibility of reaching this objective. An executive agent position appointed by the United Nations is one possible solution. Oversight can also be a vehicle for broader shared resources between nations, a positive by-product of collective efforts.

The Will of the People - Some “What Ifs?”

Resourcing from the United States’ perspective is irrevocably connected to the will of the people. That the will of the people is not strong on the issue is evidenced by the growing problems related to illegal drugs and the under funding of drug treatment and social service counseling and rehabilitation programs. Although the federal government did dramatically increase its funding in 1998, this was after many cutbacks. Resources for police augmentation and training did increase, however, this followed years of major cities’ budget cutbacks and personnel layoffs. Meantime the populations and the problems grew. Public awareness of this serious threat to their economy, social order and safety is critical for gaining the public support of funding increases and to support the immense aggressive efforts mapped out in the International Organized Crime Control Strategy. One of the ten initiatives to further the current administration’s fight with international crime is the effort to “ engage the private sector in assessing the impact of international crime on that sector and in determining its appropriate role in countering this threat.”²¹

Media and the public awareness are inherently linked. Rarely are the daily

newspapers reports specifying international organized crime activities in the news. Rarely are reports linking small activities to a very big picture. No exposés or international crime analysis are evident except upon inquiry on the Internet, yet the IOC industry exists and is flourishing. In fact the IOC is at the base of many of the local crimes reported in the media. Interestingly, there is a paucity of informational research delivered by the media which is the most influential on public opinion - network television news, CNN, local channels and Educational Television, etc. Educating the public is the mission of Educational Television. However, no regular patterns exist airing the alarming issues regarding world implications of a crime network stretching the oceans with in-depth analysis. So destructive is our neglect to publicly attack IOC through public education vehicles that the silence actually enhances the capabilities of criminals to expand their business, even corrupting our youth through superior target marketing directed toward them to sell illegal drugs.

While illegal drug use is a trendy issue on the list of topics to educate parents, teachers and children it is not part of a concerted and sustained effort to inform the public on the threat of IOC, the large picture and impact. Parents in this country are not alone. They have counterparts equally challenged by perhaps the same IOC group across the world. International organizations trafficking in drugs, violence and other illegal activities are not 'tracked' on television and television is an ideal medium for just such a concentrated effort. Too often the media presents a romantic view of the devastating business of crime through fictional films, suggesting a sentimental, loyal and forgiving underworld. Its impact is immediate and the visual connection to the story remains with the viewers for a long time. The will of the people to fight such a formidable enemy is absolutely necessary. Education through television is an effective medium which under a carefully orchestrated schedule encompassing a year's programming has the potential to raise the awareness down to the grass roots of American. Innovative, honest programming produced in collaboration with the FBI and other appropriate police and

social service agencies is a potential formula for success. A team effort to open the door leaving secrecy and ignorance behind and accepting the task to challenge the criminal element through popular will and knowledge.

Recognition of the role that TV plays in solutions to social issues is a step toward action. This kind of programming is potentially profitable as well as socially beneficial, as it is all inclusive, highlighting various socio-economic locations and presenting information with specificity as to community and town involvement. Open disclosure of activities regarding the local impact of international organized crime alerts the public to the threat and its dangers. Unfortunately, silence is often the route taken by officials for fear of reprisal. However, once large numbers are educated and aware, reprisals are difficult. Some form of protection to those involved in production of such media coverage is entirely appropriate to ensure ‘freedom from intimidation’ in a democracy. The media is not traditionally viewed as a partner with the police or the government agencies, however “truth”, a media goal, is. It can also be viewed as a partnership for the protection of its customers, and actually a community service of the highest and noblest order. Public service awards accompanied by grants from the Federal government to the best investigative reporting or the most imaginative educational programs on the local impact of international organized crime networks could enhance competition, increase viewership, educate the public, and, disrupt the comfortable, unseen, protected environment of the criminal world.

An historically effective way of involving the will of the people to support a conventional war, applies also in a war on international organized crime. As described, the state of IOC in the U.S. and around the world, but particularly in fledgling nations, is comparable to a thriving, violent and successfully unchecked aggressor. Seen as such, the increased utilization of police and intelligence specialties from the military Reserve Components (RC) makes sense. Within the five Armed Forces of the United States are seven Reserve Components. The Reserve Components consist of the U.S. Air Force

Reserve, Air National Guard, U.S. Naval Reserve, U.S. Marine Corps Reserve, U.S. Coast Guard Reserve, U.S. Army Reserve and the Army National Guard.²²

Currently, the seven RCs are engaged in such support activities on a very limited basis within the Federal Drug Interdiction Program operation. They are capable of supporting the local and federal professionals within the limitations imposed by the Posse Comitatus Act of 1878. This law has been amended several times through the years, leading to a broader authority than originally defined. In essence this federal law restricts the military forces, excluding the Coast Guard, from enforcing civil laws, i.e., nonmilitary criminal laws. Posse Comitatus does not apply outside the U.S., nor does it apply to state national guard personnel operating under Title 32, nonfederalized status.

All seven Reserve Components are able in varying degrees of authority and tasks to support the mission of surveillance, analysis and security in anti-IOC efforts.

Historically past Secretaries of Defense and the Service Chiefs discouraged the use of the military for such activities. They considered this use of the military as degrading their readiness for war. However, in the last twenty years the military were used on a limited but increasing basis. To reinforce readiness training those utilized for this purpose are working within their wartime specialties.²³ Many intelligence analysts view their involvement as training and feel their skills are sharpened by these real world tasks. Each Service's active duty component is currently involved in varying degrees in the Federally funded Drug Interdiction Program. A sampling of Reservists with the appropriate skills are utilized to support the active duty personnel skills shortages. Key to this philosophy is that, as in wartime, the involvement of highly skilled volunteer Reservists raises the awareness of the public and increases their investment in the mission. Reservists are citizen soldiers, sailors and airmen who, along with their families, are living and working in the very communities which will profit from the success of their efforts in this program, or suffer from its failure.

Conclusion

The threat from the international organized crime networks towards the U.S. is real. Across the Nation in large and small cities these organizations are increasingly establishing a web of businesses within our borders. The IOC carries with it a long lasting destructive influence on our society and often immediate negative economic impacts. The globalization of legitimate businesses is mirrored by the illegal businesses. The IOC business growth consequently reflects the flourishing markets of this decade and is strengthened by the past's lack of a comprehensive national strategy supported by effective and innovative ways and means to enable it to meet its goals and objectives.

President Clinton's new national strategy on crime is a first step with many steps to follow. A key to success is to approach this comprehensive aggressor as if in a war. Energizing the will of the people through engagement and utilizing the media are some approaches to increased success. Leveraging the strength of a grassroots network of citizens supporting this strategy reinforces a grand national and international strategy and heightens the probability of success. Increased use of the Reserve Components in support of this battle enhances the odds of taking back control. These citizen soldiers live in the effected communities and bring a deep commitment resulting from their perspective as private citizens.

We enter the 21st Century with a spreading disease which could undue the socio-economic growth and well being of this country and many around the world if not checked. A total strategy including business, industry and private citizen involvement and support is necessary to win the fight.

Word Count: 5,007

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